

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILEDUNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

2019 NOV 20 PM 4: 05

UNITED STATES OF AMERICA)

v.)

JAMES ODELL,)

Defendant.)

Criminal No. 2:18-cr-115-1

CLERK

BY AW
DEPUTY CLERK**FINAL ORDER OF FORFEITURE**

In the Forfeiture Notice of the Superseding Information, the United States sought forfeiture of 19 Robinson Avenue, Bennington, Vermont, with all appurtenances and improvements thereon, (the "Property"), pursuant to 21 U.S.C. § 853 as property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of a violation of 21 U.S.C. § 841(a)(1), and any property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such violation;

On April 1, 2019, James Odell pled guilty to Count One of the Superseding Information and agreed in his plea agreement that the Property would be forfeited to the United States.

This Court entered a Preliminary Order of Forfeiture on September 16, 2019, declaring that pursuant to 21 U.S.C. §§ 841(a)(1) and 853, the United States was entitled to possession of the Property;

The Preliminary Order of Forfeiture provided for publication by the Government, in a newspaper of general circulation and/or by Internet advertising through www.forfeiture.gov, of notice of the Preliminary Order of Forfeiture, notice of the Government's intent to dispose of the Property in such manner as the Attorney General might direct, and notice that any person, other than the defendant, having or claiming a legal interest in the Property must file a petition with the court within the time-frame of the final publication of notice or of receipt of action notice,

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whichever was earlier;

The Preliminary Order of Forfeiture provided that any petition should be set for a hearing to adjudicate the validity of the petitioner's alleged interest in the Property should be signed by the petitioner under penalty of perjury, and should set forth the nature and extent of the petitioner's right, title or interest in the Property and any additional facts supporting the petitioner's claim and the relief sought;

The Preliminary Order of Forfeiture provided that the United States might also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the Property, as a substitute for published notice as to those persons so notified;

The Preliminary Order of Forfeiture provided that upon adjudication of all third-party interests, this Court would enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests would be addressed;

The Government posted notice as provided in the Preliminary Order of Forfeiture on the official government Internet website (www.forfeiture.gov) for 30 consecutive days beginning September 18, 2019 and ending October 17, 2019; and

No claims or petitions have been filed and the time for doing so has expired.

Accordingly, it is hereby ORDERED, ADJUDGED AND DECREED:

1. That 19 Robinson Avenue, Bennington, Vermont, with all appurtenances and improvements thereon, is hereby forfeited to the United States of America and that all claims and interests are forever closed and barred;
2. The U.S. Marshals Service shall dispose of the Property in accordance with law; and
3. This Court shall retain jurisdiction over this action to enforce this agreement and take

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such other action as may be necessary.

Dated at Burlington, in the District of Vermont, this 20th day of November, 2019.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the end, positioned above a solid horizontal line.

HON. CHRISTINA REISS
United States District Court Judge